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Atty. Dkt. No. 037811-0103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard M. Fleming
Title: METHOD FOR DETECTING
ABNORMAL TISSUE USING
ENHANCED
RADIOPHARMACEUTICAL
UPTAKE

Appl. No.: 10/603,841

Filing Date: 06/25/2003

Art Unit: 1661

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.</p> <p><u>LAURA MARKHAM</u> (Printed Name)</p> <p><u>Laura Markham</u> (Signature)</p> <p><u>6/28/05</u> (Date of Deposit)</p>

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendments
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450.

Respectfully submitted,

Date June 24, 2005

By 

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Substitute for form 1449B/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: JUL 05 2005 <i>(use as many sheets as necessary)</i>			Application Number	10/603,841	
			Filing Date	June 25, 2003	
			First Named Inventor	Richard M. Fleming	
			Group Art Unit	1661	
			Examiner Name		
Sheet	1	of	1	Attorney Docket Number	037811/0103

PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,895,640		Khalkhali	04-20-1999	424/1.65

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
		"Breast Enhanced Scintigraphy Testing" or "B.E.S.T." A description of the B.E.S.T. imaging method may be found in Fleming RM, Dooley WC, Boyd LB, Kubovy C, "Breast Enhanced Scintigraphy Testing (B.E.S.T.) - Increased accuracy in detecting breast cancer accomplished by combining breast and cardiac imaging," 48th Annual Scientific Session of the Society of Nuclear Medicine, Toronto, Ontario, Canada, 26 June 2001.	
		"Comparing a High Dose Dipyridamole SPECT Imaging protocol with Dobutamine and Exercise Stress Testing Protocols. Part III: Using Dobutamine to Determine Lung-to-Heart Ratios, Left Ventricular Dysfunction and a potential Viability Marker," Intern J of Angiol 1999, 8:22-26.	
		Fleming RM, "Chapter 29 of Atherosclerosis: Understanding the Relationship Between Coronary Artery Disease and Stenosis Flow Reserve," <i>Textbook of Angiology</i> , John C. Chang Editor, Springer-Verlag New York, NY 1999, pp. 381-387.	
		Fleming RM, "Chapter 31. Nuclear Cardiology: Its Role in the Detection and Management of Coronary Artery Disease," <i>Textbook of Angiology</i> , John C. Chang Editor, Springer-Verlag New York, NY 1999, pp. 397-406.	
		Fleming RM, Boyd L, Forster M, "Angina is Caused by Regional Blood Flow Differences - Proof of a Physiologic (Not Anatomic) Narrowing," Joint Session of the European Society-American College of Cardiology, ACC 49th Annual Scientific Sessions, March 12, 2000 (www.prous.com)	
		Fleming RM, "Coronary artery disease is more than just coronary lumen disease," Am J Card 2001, 88:599-600.	
		Glodman, Erik; "Novel Imaging Technique Reveals Breast Benefits of Soy Supplementation", Holistic Primary Care, April 15, 2002.	
		"Revival Soy and Breast Imflammation", Holistic Primary Care, April 15, 2002.	
		Fleming, RM et al. "Comparing aHigh-Dose Dipyridamole SPECT Imaging Protocol With Doputamine And Exercise Stress Testing Protocols," Angiology, the Journal of Vascular Diseases, Vol. 46, No. 7, July 1995, pp 547-556.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.